

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JUAN J. GOMEZ VASQUEZ,

Plaintiff,

v.

PIERCE COUNTY JAIL, et al.,

Defendants.

CASE NO. C12-5268 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION AND  
GRANTING MOTION TO  
DISMISS

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 15), Plaintiff Juan J. Gomez Vasquez’s (“Vasquez”) objections to the R&R (Dkt. 16), and Vasquez’s “Motion to Withdrawal” which the Court regards, and will refer to, as a motion to dismiss (Dkt. 18).

On June 20, 2012, Judge Strombom issued the R&R recommending that the Court dismiss Vasquez’s complaint for failure to state a claim. Dkt. 15. On June 28, 2012, Vasquez filed objections to the R&R arguing that he did state a claim for a violation of his right of access to the courts. Dkt. 16. On August 22, 2012, Vasquez filed a motion to dismiss his complaint. Dkt. 18.

1 Therefore, the Court having considered the R&R, Vasquez's objections,  
2 Vasquez's motion, and the remaining record, does hereby find and order as follows:

- 3 (1) The R&R is **ADOPTED**;
- 4 (2) Vasquez's motion to dismiss is **GRANTED**; and
- 5 (2) This action is **DISMISSED**.

6 Dated this 6<sup>th</sup> day of September, 2012.

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9 BENJAMIN H. SETTLE  
United States District Judge

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